

12-12-03

EXPRESS MAIL NO. EV336611740US  
165118  
Image

# TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application Number	09/960,264
Filing Date	September 20, 2001
First Named Inventor	Ronald Berenson
Art Unit	1651
Examiner Name	L. Blaine Lankford
Attorney Docket No.	980034.417C1

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Third Supplemental Information Disclosure Statement; Forms PTO-1449 (3 Sheets) <input checked="" type="checkbox"/> 35 Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Additional Enclosure(s) (please identify below):  <hr/> <hr/> <hr/> <hr/> <hr/>
---	---	--

**Remarks****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual Name	Julie A. Urvater, Ph.D., Patent Agent Reg. No. 50,461	Customer Number <b>00500</b>
Signature		
Date	December 10, 2003	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name		
Signature		Date:

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
1439402

# FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT	(\\$)	180.00
-------------------------	-------	--------

Complete if Known	
Application Number	09/960,264
Filing Date	September 20, 2001
First Named Inventor	Ronald Berenson
Examiner Name	L. Blaine Lankford
Art Unit	1651
Attorney Docket No.	980034.417C1

**METHOD OF PAYMENT**

Payment Enclosed:  
 Check    Credit card    Money Order    Other

Deposit Account:  
 Deposit Account Number   **19-1090**  
 Deposit Account Name   **Seed Intellectual Property Law Group PLLC**

The Director is authorized to (check all that apply)  
 Charge fee(s) indicated below    Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee  
 Charge any deficiencies  
 to the above-identified deposit account.

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity	Small Entity				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					(\\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
<input type="text"/>					
<input type="text"/>					
<input type="text"/>					

Large Entity	Small Entity				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					(\\$)

\*\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Large Entity	Small Entity				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2520	1812	2520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1480	2254	740	Extension for reply within fourth month	
1255	2010	2255	1005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1510	1451	1510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1330	2453	665	Petition to revive – unintentional	
1501	1330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					<b>SUBTOTAL (3)</b> <b>(\\$) 180.00</b>

SUBMITTED BY		Customer Number	
Name (Print/Type)	Julie A. Urvater, Ph.D., Patent Agent	Registration No. Attorney/Agent)	50,461
Signature	<i>Julie A. Urvater</i>	Date	December 10, 2003
		00500	

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



EXPRESS MAIL NO. EV336611740US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ronald Berenson et al.  
Application No. : 09/960,264  
Filed : September 20, 2001  
For : SIMULTANEOUS STIMULATION AND CONCENTRATION OF CELLS

Examiner : L. Blaine Lankford  
Art Unit : 1651  
Docket No. : 980034.417C1  
Date : December 10, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, applicants wish to make known to the U.S. Patent and Trademark Office the references set forth on the attached Form PTO-1449 (copies of the cited references are enclosed). As to any reference supplied, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

Please acknowledge receipt of this Third Supplemental Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

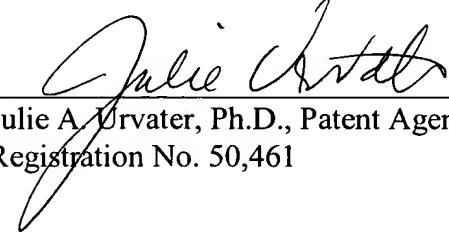
12/10/2003 JBALINAN 00000100 09960264

01 FC:1806

180.00 DP

A fee of \$180 is submitted in accordance with 37 C.F.R. § 1.97(c). The Director is authorized to charge any other fees which may be required, or credit any overpayment to Deposit Account No. 19-1090.

Respectfully submitted,  
Seed Intellectual Property Law Group PLLC

  
Julie A. Urvater, Ph.D., Patent Agent  
Registration No. 50,461

JAU:ljt

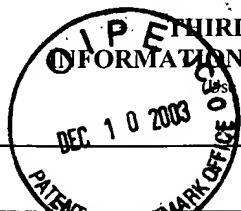
Enclosures:

Postcard  
Check for \$180  
Transmittal Form  
Fee Transmittal Form (+ Copy)  
Forms PTO-1449 (3 Sheets)  
Cited References (35)

701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092  
Phone: (206) 622-4900  
Fax: (206) 682-6031

\439413

FORM PTO-1449 (REV.7-80)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 980034.417C1	APPLICATION NO. 09/960,264
<b>1 P E THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b> <small>(use several sheets if necessary)</small>		APPLICANTS Ronald Berenson et al.	
		FILING DATE September 20, 2001	GROUP ART UNIT 1651

**U.S. PATENT DOCUMENTS**

*EXAMINER'S INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AA	5,443,983	08/22/95	Ochoa et al.	435	240.2	
AB	5,470,730	11/28/95	Greenberg et al.	435	172.3	
AC	5,674,704	10/07/97	Goodwin et al.	435	69.1	
AD	5,804,442	09/08/98	Romet-Lemonne et al.	435	374	
AE	6,113,901	09/05/00	Bluestone	424	154.1	
AF	6,143,297	11/07/00	Bluestone	424	184.1	
AG	6,129,916	10/10/00	Chang	424	179.1	
AH	6,197,298	03/06/01	Chang	424	179.1	
AI	6,316,257	11/13/01	Flyer et al.	435	372.3	
AJ	6,355,779	03/12/02	Goodwin et al.	530	388.23	

**FOREIGN PATENT DOCUMENTS**

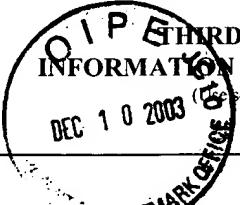
	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
				YES	NO
✓	AK EP 633930 B1	04/26/00	EPO		
✓	AL WO 97/05233	02/13/97	WIPO		
✓	AM WO 97/05239	02/13/97	WIPO		
✓	AN WO 03/024312	03/27/03	WIPO		

**OTHER PRIOR ART** (Including Author, Title, Date, Pertinent Pages, Etc.)

✓	AO	Baroja, M.L. et al., "The Anti-T Cell Monoclonal Antibody 9.3 (Anti-CD28) Provides a Helper Signal and Bypasses the Need for Accessory Cells in T Cell Activation with Immobilized Anti-CD3 and Mitogens," <i>Cellular Immunology</i> 120: 205-217, 1989.
✓	AP	Bergstresser, P.R. et al., "T Cell-Mediated Terminal Maturation of Dendritic Cells," in <i>Dendritic Cell in Fundamental and Clinical Immunology</i> , Ricciardi-Castagnoli (Ed.), Plenum Press, New York, 1997, pgs. 65-69.
✓	AQ	Groh, V. et al., "Stimulation of T Cell Autoreactivity by Anomalous Expression of NKG2D and its MHC Ligands in Rheumatoid Arthritis," <i>Proceedings of the National Academy of Sciences</i> 100(16): 9452-9457, August 5, 2003.

EXAMINER	DATE CONSIDERED
----------	-----------------

\* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).

FORM PTO-1449 (REV.7-80)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 980034.417C1	APPLICATION NO. 09/960,264
 <b>THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b> <small>(use several sheets if necessary)</small>		APPLICANTS Ronald Berenson et al.	
		FILING DATE September 20, 2001	GROUP ART UNIT 1651

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BA	2001/0031253	10/18/01	Gruenberg	424	93.1	
	BB	2002/0090362	07/11/02	Strauss	424	93.21	
	BC	2002/0182730	12/05/02	Gruenberg	435	375	
	BD	2003/0039650	02/27/03	Gruenberg	424	144.1	
	BE	2003/0134341	07/17/03	Gruenberg	435	7.21	
	BF	2003/0134415	07/17/03	Gruenberg	435	372	
	BG	2003/0170238	09/11/03	Gruenberg	424	144.1	
	BH	2003/0175242	09/18/03	Gruenberg	424	93.2	
	BI	2003/0175272	09/18/03	Gruenberg	424	144.1	
	BJ	2003/0194395	10/16/03	Gruenberg et al.	424	93.7	

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION
					YES      NO
✓	BK	WO 03/025158	03/27/03	WIPO	
✓	BL	WO 03/034820	05/01/03	WIPO	
✓	BM	WO 03/043643	05/30/03	WIPO	
✓	BN	WO 03/077658	09/25/03	WIPO	

**OTHER PRIOR ART** (Including Author, Title, Date, Pertinent Pages, Etc.)

✓ BO	Lanzavecchia, A., "The Role of Dendritic Cells in the Generation of Effector and Memory T Cell Responses," from <i>The Midwinter Conference of Immunologists</i> , January 22-25, 2000, available at <a href="http://www.midwconfinnol.org/Midwinter00/sessions/lanzavecchia.html">www.midwconfinnol.org/Midwinter00/sessions/lanzavecchia.html</a> .
✓ BP	Li, Q. et al., "Expanded Tumor-reactive CD4 <sup>+</sup> T-Cell Responses to Human Cancers Induced by Secondary Anti-CD3/Anti-CD28 Activation," <i>Clinical Cancer Research</i> 5: 461-469, February 1999.
✓ BQ	Li, Q. et al., "Immunological Effects of BCG as an Adjuvant in Autologous Tumor Vaccines," <i>Clinical Immunology</i> 94(1): 64-72, January 2000.

EXAMINER	DATE CONSIDERED
* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).	

FORM PTO-1449 (REV.7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. <b>980034.417C1</b>	APPLICATION NO. <b>09/960,264</b>
<b>THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b> <small>(use several sheets if necessary)</small>				APPLICANTS <b>Ronald Berenson et al.</b>	
				FILING DATE <b>September 20, 2001</b>	GROUP ART UNIT <b>1651</b>
<b>U.S. PATENT DOCUMENTS</b>					
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS
CA					
CB					
CC					
CD					
CE					
CF					
CG					
CH					
CI					
CJ					
<b>FOREIGN PATENT DOCUMENTS</b>					
	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
CK				YES	NO
CL					
CM					
CN					
CO					
<b>OTHER PRIOR ART</b> ( <i>Including Author, Title, Date, Pertinent Pages, Etc.</i> )					
CP		Zou, J.-P. et al., "Tumor-Bearing Mice Exhibit A Progressive Increase in Tumor Antigen-Presenting Cell Function and A Reciprocal Decrease in Tumor Antigen-Responsive CD4 <sup>+</sup> T Cell Activity," <i>The Journal of Immunology</i> 148(2): 648-655, January 15, 1992.			
CQ					
CR					
EXAMINER			DATE CONSIDERED		
<b>* EXAMINER:</b> Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to applicant(s).					